



Rep. Harry R. Ramey Jr.

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LRB095 06992 NHT 35011 a

1 AMENDMENT TO HOUSE BILL 3341

2 AMENDMENT NO. _____. Amend House Bill 3341 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Article
5 11F and by changing Section 19-1 as follows:

6 (105 ILCS 5/Art. 11F heading new)

7 ARTICLE 11F. DIVISION OF LARGE SCHOOL DISTRICTS

8 (105 ILCS 5/11F-1 new)

9 Sec. 11F-1. Short title. This Article may be cited as the
10 Meeting Local Educational Needs Law.

11 (105 ILCS 5/11F-5 new)

12 Sec. 11F-5. Purpose; findings.

13 (a) This Article provides a mechanism whereby a new
14 community unit school district may be established from a

1 portion of the territory of an existing community unit school
2 district.

3 (b) The General Assembly hereby determines and declares all
4 of the following:

5 (1) That the school needs of certain large regions can
6 be better met by smaller school districts that can be more
7 responsive to local needs. In addition, often the needs of
8 children and citizens of a very large district can be
9 better served by reducing the size of the district and thus
10 reducing the scope of its responsibilities.

11 (2) That economic burdens that can result from
12 inadequately met school needs fall both upon a region and
13 upon the State and can include unemployment and
14 underemployment of workers, increased need for public
15 assistance, falling property values, a diminished market
16 for housing, and reduced tax revenues, and, in the event
17 that families migrate elsewhere to find better educational
18 opportunities, the burdens may also fall upon the
19 municipalities and other taxing districts within an area
20 losing population and property value in the form of reduced
21 tax revenues, thereby endangering its financial ability to
22 support necessary governmental services for its remaining
23 inhabitants.

24 (3) That the State has a responsibility to help create
25 a favorable climate for educational opportunities for its
26 citizens by encouraging the development of vibrant and

1 dynamic public school systems in this State.

2 (4) That the main purpose of this Article is to promote
3 improvement in education, thereby reducing the evils
4 attendant upon unemployment and underemployment and the
5 disintegration of community life attendant upon migration
6 of families from a region and falling property values and
7 thereby enhancing the public health, safety, morals,
8 happiness and general welfare of this State.

9 (5) That while a goal of this State is generally to
10 reduce the overall number of school districts in this
11 State, in certain situations very large school districts in
12 this State draw students from multiple municipalities and
13 multiple counties, which can cause the district to lack the
14 uniformity of purpose present in many of this State's
15 largest school districts.

16 (105 ILCS 5/11F-10 new)

17 Sec. 11F-10. Definitions. The following terms, whenever
18 used or referred to in this Article, shall have the following
19 meanings, except in such instances where the context may
20 clearly indicate otherwise:

21 "Detachment" means the detachment of territory as
22 described in Section 11F-25 of this Code.

23 "New Board of Education" means the board of education of a
24 New District, created under this Article.

25 "New District " means a new community unit school district

1 created from a portion of an existing community unit school
2 district under this Article.

3 "Original District" means an existing community unit
4 school district, a portion of whose territory is proposed to be
5 detached to form a New District.

6 "Territory" means a compact and contiguous area that is
7 proposed for detachment from an existing community unit school
8 district and establishment as a separate community unit school
9 district.

10 (105 ILCS 5/11F-15 new)

11 Sec. 11F-15. Petition; election area.

12 (a) A petition under this Article shall be filed with the
13 Regional Superintendent of Schools of the educational service
14 region in which the largest part of the Territory described in
15 the petition is situated, signed by at least 200 voters
16 residing in the Territory. No petition filed or election held
17 under this Article shall be null and void, invalidated, or
18 deemed in noncompliance with the Election Code for failure of
19 any person or persons to publish a notice of intention to file
20 such a petition or to attach an affidavit attesting to the
21 publication of such notice as required under subsection (g) of
22 Section 28-2 of the Election Code for petitions that are not
23 filed under Article 11E of this Code. The petition shall
24 request submission of a proposition at a regularly scheduled
25 election for the purpose of voting for or against the division

1 of an Original District into 2 parts, the Territory and the
2 remainder of the Original District.

3 (b) The petition shall contain the following:

4 (1) A description of the Territory proposed for
5 detachment. Describing the Territory by reference to the
6 boundaries of other political subdivisions is hereby
7 authorized, although not required.

8 (2) Tax rates for the New District.

9 (3) An aggregate extension base for the New District.

10 (4) A request that the question of formation of the New
11 District be placed on the ballot as required in this
12 Article.

13 (5) A request that the board of education be elected on
14 a separate ballot at the same election that the question of
15 formation of the New District is on the ballot.

16 (6) Designation of a Committee of Ten, as provided
17 under subsection (d) of this Section.

18 (c) The petition may contain the following:

19 (1) A Debt Service Extension Base for the New District,
20 if one is desired.

21 (2) A request that a proposition to issue bonds be
22 placed on a separate ballot at the same election as the
23 question of formation of the New District.

24 (3) A request for authority to issue working cash bonds
25 in an amount not to exceed 85% of the aggregate extension
26 base.

1 (d) The petition shall designate a committee of 10 of the
2 petitioners, any 7 of whom may at any time, prior to the final
3 decision of the Regional Superintendent, amend the petition in
4 all respects (except that there may not be an increase or
5 decrease of more than 25% of the Territory to be included in
6 the proposed district) and may make binding stipulations on
7 behalf of all petitioners as to any question with respect to
8 the petition or hearing. The Regional Superintendent may accept
9 such stipulation instead of evidence or proof of the matter
10 stipulated. The committee of petitioners may stipulate to
11 accountings or waiver thereof between school districts
12 pursuant to Article 11C of this Code; however, the Regional
13 Superintendent may refuse to accept the stipulation. Those
14 designated as the Committee of Ten shall serve in such capacity
15 until such time as the Regional Superintendent should determine
16 that, because of death, resignation, transfer of residency from
17 the Territory, or failure to qualify or for any other reason,
18 the office of a particular member of the Committee is vacant.
19 Failure of a person designated as a member of the Committee of
20 Ten to sign the petition shall not disqualify the person as a
21 member of the Committee, and the person may sign the petition
22 at any time prior to final disposition of the petition and the
23 conclusion of the proceedings to form a unit district,
24 including all litigation pertaining to the petition or
25 proceedings. Upon determination by the Regional Superintendent
26 that such vacancies exist, he or she shall so declare the

1 vacancies and shall notify the remaining members to appoint a
2 petitioner or petitioners, as the case may be, to fill the
3 vacancies in the Committee of Ten so designated. Such
4 appointment by the Committee of Ten of any such new membership
5 shall be made by a simple majority vote of the designated
6 remaining members. The Committee of Ten shall act, unless
7 otherwise specified in this Article, by majority vote of the
8 membership. The Committee of Ten may voluntarily dismiss its
9 petition at any time before the final decision of the Regional
10 Superintendent.

11 Alternatively, if a single municipality encompasses 50% or
12 more of the Territory included in the petition, the petition
13 may be filed by that municipality, by ordinance approved by a
14 two-thirds vote of the corporate authorities, and the corporate
15 authorities by a two-thirds vote thereof may perform any of the
16 activities that the Committee of Ten is authorized to perform.
17 The General Assembly declares that when a home rule
18 municipality files a petition pursuant to this Article, the
19 municipality is deemed to be taking action pertaining to its
20 government and affairs as provided for in Section 6 of Article
21 VII of the Illinois Constitution.

22 (e) The petition shall state that at that same election at
23 which the question of formation of the New District is placed
24 on the ballot, a board of education shall be elected on a
25 separate ballot to serve as the board of education of the
26 proposed New District. The election of board members shall

1 proceed under the supervision of the Regional Superintendent.

2 The petition may also request that the referendum at which
3 the proposition is submitted for the purpose of voting for or
4 against the division of a community unit school district in the
5 Territory include a proposition on a separate ballot
6 authorizing the issuance of bonds by the district when
7 organized, in accordance with this Article. The principal
8 amount of the bonds and the purposes of issuance shall be
9 stated in the petition and in all notices and propositions
10 submitted thereunder.

11 (f) A petition for the division of an Original District
12 into 2 parts may be submitted only with respect to an Original
13 District with an enrollment of more than 30,000 students that
14 is located in 2 or more municipalities and 2 or more counties,
15 and which petition, if successful, would result in 2 community
16 unit school districts, each with an anticipated enrollment of
17 at least 5,000 students.

18 (g) The petition shall be filed with the Regional
19 Superintendent of the educational service region in which the
20 Territory described in the petition or that part of the
21 Territory with the largest part of the proposed New District is
22 located. The Regional Superintendent shall cause a copy of the
23 petition to be given to each school board of any district
24 affected by the proposed formation of the New District and the
25 Regional Superintendent of any other educational service
26 region in which any part of any affected district is located

1 and shall cause a notice thereof to be published at least once
2 each week for 3 successive weeks in at least one newspaper
3 having general circulation within the area of the Territory of
4 the proposed district. The Regional Superintendent shall give
5 such notice within 90 days after receipt of the petition. The
6 notice shall state when and to whom the petition was presented,
7 the prayer of the petition, the description of the Territory of
8 the proposed New District, that school board members for the
9 New District shall be elected on a separate ballot at the same
10 election, if requested in the petition, a statement of the
11 proposition to issue bonds and indicating the amount and
12 purpose thereof, and the day on which the hearing upon the
13 petition will be held. Not more than 15 days after the last
14 date of the required notice, the Regional Superintendent shall
15 hold a hearing on the petition to determine whether the
16 petition is in compliance with the signature, size, location,
17 contiguity, and compactness requirements specified in this
18 Article and to make findings and conclusions regarding the
19 criteria enumerated in this Section.

20 (h) Upon the Regional Superintendent determining that the
21 petition, as filed or amended, is proper and is in compliance
22 with any applicable petition requirements set forth in the
23 Election Code and this Article, he or she shall hear evidence
24 as to the school needs and conditions of the Territory and in
25 the area within and adjacent thereto, take into consideration
26 the division of funds and assets that will result from the

1 organization of the New District, and determine whether such
2 division of funds and assets will permit the New District and
3 the original district sufficient resources to operate viable
4 unit school district programs.

5 The Regional Superintendent shall consider all of the
6 following in reaching his or her decision:

7 (1) The benefit to students that can come from
8 increased involvement with their home municipality,
9 library, and park district, and coordination of activities
10 of those units of local government with activities of the
11 new unit school district.

12 (2) The benefit to students that can come from
13 increased direct coordination of curricular and
14 extracurricular activities among the elementary, middle,
15 and high schools of the New District.

16 (3) Whether the formation of the New District is in the
17 best interests and educational welfare of the whole child,
18 for the children who would attend the schools of the New
19 District, looking at factors that include, but are not
20 limited to, (i) whether the students would benefit from a
21 "community of interest" from the new school district, (ii)
22 whether the community of interest could lead to increased
23 participation in extracurricular activities of the schools
24 of the New District, (iii) whether the community of
25 interest could lead to equivalent or increased
26 participation in the social, religious, and commercial

1 activities of the community, and (iv) whether these same
2 factors would be diminished in a substantial way for the
3 students of the Original District.

4 At the hearing, any resident in the proposed New District
5 or in any district affected thereby or any Regional
6 Superintendent entitled by this Section to be given a copy of
7 the petition may appear in support of the petition or to object
8 thereto. The Regional Superintendent may adjourn the hearing
9 from time to time. Within 14 days after the conclusion of the
10 hearing, the Regional Superintendent shall make a decision by
11 written order either approving or denying the petition. Upon
12 the Regional Superintendent approving or denying the petition,
13 he or she shall submit the petition and all evidence submitted
14 to the State Superintendent of Education who shall, within 60
15 days after receipt of the decision of the Regional
16 Superintendent, approve or deny the petition.

17 The State Superintendent of Education shall review the
18 entire record of the proceedings held before the Regional
19 Superintendent, including the transcript of the proceedings,
20 and based upon a review of the same, shall affirm the decision
21 of the Regional Superintendent unless the State Superintendent
22 of Education finds that the decision is arbitrary or
23 capricious. If the State Superintendent of Education denies the
24 petition, the reasons for the denial must be communicated to
25 appropriate groups, agencies, or instrumentalities
26 representing the petitioners. If approved by the State

1 Superintendent of Education, the petition must be placed on the
2 ballot at the next regularly scheduled election. If the State
3 Superintendent fails to act to approve or deny within 60 days,
4 the petition shall be deemed approved.

5 The decisions of the Regional Superintendent and the State
6 Superintendent of Education shall be deemed an "administrative
7 decision" as defined in Section 3-101 of the Code of Civil
8 Procedure. Any resident who appears at the hearing, any
9 petitioner, the Committee of Ten, or the board of education of
10 any district affected may, within 35 days after a copy of the
11 decision sought to be reviewed was served by registered mail
12 upon the party affected thereby, apply for a review of the
13 decision in accordance with the Administrative Review Law and
14 the rules adopted pursuant thereto. The commencement of any
15 action for review shall operate as a supersedeas, and no
16 further proceedings shall be had until final disposition of the
17 review.

18 (i) The election must be held in the entire area of the
19 Original District. For electors residing in the Original
20 District, but not in the Territory, the election shall be only
21 on the question of establishing the New District with specified
22 tax rate and extension information and not any other questions.
23 Electors residing in the Territory shall also be asked to vote
24 on another ballot for members of the Board of Education of the
25 New District and may also be asked to vote for or against
26 propositions to issue bonds on behalf of the New District.

1 (105 ILCS 5/11F-20 new)

2 Sec. 11F-20. Referendum.

3 (a) The Regional Superintendent of Schools of the
4 educational service region comprising the largest percentage
5 of the Territory proposed for disconnection is hereby directed
6 to certify a question for the ballot at the next general,
7 general primary, or consolidated election to occur at least 88
8 days after the date of the completion of and rendering of a
9 decision on the hearing. If the Territory encompasses areas
10 that are beyond the jurisdiction of the Regional Superintendent
11 or if a district-wide election is required and the Original
12 District encompasses areas beyond the jurisdiction of the
13 Regional Superintendent, then the Regional Superintendent
14 shall certify the appropriate question or questions to the
15 Regional Superintendent or Superintendents having jurisdiction
16 of such area or areas for placement on the ballot at the same
17 election that the certifying Regional Superintendent will
18 place the question or questions on the ballot.

19 (b) One or more public questions to create a community unit
20 school district under this Article, to elect school board
21 members, and to authorize the issuance of bonds by the newly
22 created district when organized shall be printed on the ballot
23 and submitted at the next regularly scheduled election as set
24 out in this Section, notwithstanding anything to the contrary
25 in Section 28-1 of the Election Code and notwithstanding any

1 other propositions that may be presented at the same election.

2 (c) The referendum shall be conducted in accordance with
3 the general election law, except as specifically stated in this
4 Section.

5 (d) The Notice of the referendum shall be substantially in
6 the following form:

7 NOTICE OF REFERENDUM TO DETACH TERRITORY FROM A CERTAIN UNIT
8 SCHOOL DISTRICT AND TO ESTABLISH A NEW UNIT SCHOOL DISTRICT

9 NOTICE is hereby given that on (insert date), a referendum
10 will be held in part (parts) of county (counties)
11 for the purpose of voting for or against the proposition to
12 detach territory from (here name the district from which the
13 territory is to be detached) and to establish a new unit school
14 district for the following described territory:

15 (here describe the territory as in the petition)

16 The election is called and will be held pursuant to an
17 order of the Regional Superintendent of Schools dated on
18 (insert date), which order states that the tax rates for
19 educational, operations and maintenance, pupil transportation,
20 and fire prevention and safety purposes, respectively, for the
21 proposed new school district shall be as follows for the new
22 school district for the territory described above: tax rates of

1 for educational purposes, for operations and
 2 maintenance purposes, for pupil transportation purposes,
 3 and for fire prevention and safety purposes, which rates
 4 shall constitute the tax rates for the school district, if a
 5 majority of the voters voting on the proposition at the
 6 referendum vote in favor thereof.

7 Dated (insert date).
 8 Regional Superintendent of Schools
 9

10 (e) The notice shall state that members of the Board of
 11 Education of the New District are to be elected at the same
 12 election at which the proposition to establish the New District
 13 is to be submitted to the voters.

14 (f) The ballot shall be in substantially the following
 15 form:

16 OFFICIAL BALLOT

17 Shall a new community unit school district be established,
 18 comprising the following territory:

19 (here describe the territory as in the petition)

20 with an aggregate extension base of, a

1 debt service extension base of, and
2 initial taxing authority as follows:

3 (1)% for educational purposes and% for
4 operations and maintenance purposes;

5 (2)% for capital improvement purposes;

6 (3)% for transportation purposes;

7 (4)% for special education purposes;

8 (5)% for tort immunity;

9 (6)% for health insurance; and

10 (7)% for fire prevention, safety, energy
11 conservation, disabled accessibility, school security, and
12 repair purposes as specified in 105 ILCS 5/17-2.11.

13 The election authority must record the votes as "Yes" or "No".

14 (g) If a majority of the voters voting in the election vote
15 in favor of the New District, then the proposition shall be
16 deemed to have passed, and the New District shall be deemed
17 created with the tax rates specified in the question or other
18 applicable rates as specified in this Code if no rate is
19 specified for a particular tax. Notwithstanding anything to the
20 contrary in Sections 18-210 and 18-212 of the Property Tax
21 Code, the New District shall have the aggregate extension base
22 specified in the question and the debt service extension base
23 specified in the question if one was specified.

1 Sec. 11F-25. Creation of New School District.

2 (a) Upon the passage of the referendum, the New District
3 shall be established. The governing and administrative powers
4 of the New District shall be vested in a Board of Education
5 consisting of 7 members, all of whom shall have been elected at
6 large by voters residing in the Territory at the same regularly
7 scheduled election as the election establishing the New
8 District.

9 (b) The terms of all members of the Board of Education
10 shall begin on their election. The 7 members elected pursuant
11 to this Article shall draw lots to determine the length of
12 their terms. Three shall serve for 2-year terms, and 4 shall
13 serve for 4-year terms. The Board of Education shall in all
14 other respects be governed by the provisions of this Code and
15 as qualified and clarified in this Article.

16 (c) The Territory comprising the New District shall be
17 detached from the territory comprising the Original District,
18 effective on July 1 one year after the July 1 following the
19 election of the new Board of Education. Title to all school
20 lands and buildings located within the Territory of the New
21 District and owned by the Board of Education of the Original
22 District as of the effective date of the detachment shall vest
23 in the new Board of Education as of the date of the detachment
24 of the Territory.

25 (d) After the election and the organization of the new
26 Board of Education and prior to the date of detachment as set

1 forth in subsection (c) of this Section, the new Board of
2 Education shall have the power to place all necessary public
3 questions on the ballot of any regularly scheduled election,
4 including, but not limited to, questions for the purposes set
5 out in Section 10-22.36 of this Code, and to do all of the
6 following:

7 (1) Establish the tax levy for the New District in the
8 year immediately preceding the year in which the New
9 District will take effect, in lieu of the levies by the
10 district from which the New District is formed, within the
11 time generally provided by law and in accordance with
12 Section 11F-40 of this Code. The funds produced by such a
13 levy shall be transferred to the New District as generally
14 provided by law at such time as they are received by the
15 county collector.

16 (2) Enter into agreements with depositories and direct
17 the deposit and investment of any funds received from the
18 county collector or any other source, all as generally
19 provided by law.

20 (3) Conduct a search for the superintendent of the New
21 District and enter into a contract with the person selected
22 to serve as the superintendent of the New District in
23 accordance with the provisions of this Code generally
24 applicable to the employment of the superintendent.

25 (4) Engage the services of accountants, architects,
26 attorneys, and other consultants, including, but not

1 limited to, consultants to assist in the search for the
2 superintendent.

3 (5) Plan for the transition from the administration of
4 the schools by the district from which the New District is
5 formed.

6 (6) Bargain collectively, pursuant to the Illinois
7 Educational Labor Relations Act, with the certified
8 exclusive bargaining representative or certified exclusive
9 bargaining representatives of the New District's
10 employees.

11 (7) Expend the funds received from the levy in order to
12 permit the district from which the New District is formed
13 to meet payroll and other essential operating expenses
14 until the New District takes effect for all purposes.

15 (8) Expend the funds received from the levy and any
16 funds received from the district from which the New
17 District is formed, in the exercise of the powers listed in
18 this Section.

19 (9) Issue bonds pursuant to and in accordance with all
20 of the requirements of Section 17-2.11 of this Code, levy
21 taxes upon all taxable property within the New District to
22 pay the principal of and interest on those bonds as
23 provided in Section 17-2.11 of this Code, expend the
24 proceeds of the bonds and enter into any necessary
25 contracts for the work financed therewith as authorized by
26 Section 17-2.11 of this Code and other applicable law, and

1 avail itself of the provisions of other applicable law,
2 including the Omnibus Bond Acts, in connection with the
3 issuance of those bonds.

4 (10) Issue working cash bonds or tax anticipation
5 warrants or both.

6 (e) After the proposition has been approved at election,
7 the date on which the change shall become effective for
8 purposes of administration and attendance may be accelerated or
9 postponed by stipulation of each of the school boards of the
10 New District and the Original District and approved by the
11 Regional Superintendent of Schools with which the original
12 petition is required to be filed.

13 (105 ILCS 5/11F-30 new)

14 Sec. 11F-30. Transfer of employment; collective
15 bargaining.

16 (a) As of the date of detachment and transfer of real
17 property described in Section 11F-25 of this Code, the
18 employment of all full-time, certified employees and of all
19 full-time, educational-support personnel assigned to the
20 buildings located in the New District shall be transferred to
21 the new Board of Education and the New District. Full-time,
22 certified employees and full-time, educational-support
23 personnel who are assigned part-time to a building or buildings
24 that shall be located in the New District and part-time in a
25 building or buildings located in the Original District shall

1 have the right to choose to assign their employment to one
2 District or the other and shall notify the Boards of Education
3 of both Districts of such choice no later than March 1 of the
4 year in which the disconnection described in Section 11F-25 of
5 this Code shall take place.

6 (b) Employees subject to this Section shall suffer no loss
7 of accrued benefits of any kind, and all seniority rights of
8 all such employees shall be honored in the same manner as if no
9 transfer of employment had occurred.

10 (c) The exclusive representative of any group of employees
11 covered by this Section, as "exclusive representative" is
12 defined in Section 2 of the Illinois Educational Labor
13 Relations Act, shall be deemed to be and shall be recognized by
14 the New District as the exclusive representative of employees
15 transferred to the New District. The new Board of Education
16 shall have the duty to bargain with the exclusive
17 representative, subject to the provisions of the Illinois
18 Educational Labor Relations Act.

19 (105 ILCS 5/11F-35 new)

20 Sec. 11F-35. Accounting and division of assets. As soon as
21 may be practicable after the passage of a referendum provided
22 for by this Article, the Regional Superintendent of Schools of
23 the educational service region in which the largest percentage
24 of the New District's Territory is located shall conduct an
25 accounting pursuant to Article 11C of this Code for the purpose

1 of determining an equitable division of school assets and
2 property as between the Original District and the New District.
3 If the result of the accounting is that the Original District
4 would owe money to the New District, then all such costs must
5 be forgiven. If the result of the accounting is that the New
6 District owes money to the Original District, then the New
7 District shall make such payment as provided in Article 11C of
8 this Code. For purposes of the accounting, capital assets and
9 real property must be assessed or appraised on the basis of
10 insurance replacement costs, and financial assets must be
11 assessed by means of an audit. The accounting is subject to
12 administrative review, pursuant to Section 11C-3 of this Code.

13 (105 ILCS 5/11F-40 new)

14 Sec. 11F-40. Tax rates. Initial tax rates shall be as
15 specified in the ballot question in Section 11F-20 of this Code
16 or in other applicable provisions of this Code. If the ballot
17 question is approved, these rates shall be used to develop the
18 initial levy of the New District. After the election, the rates
19 established by the ballot may be increased or decreased in the
20 same manner and within the limits provided by Sections 17-2
21 through 17-7 of this Code and the Property Tax Extension
22 Limitation Law, if applicable.

23 (105 ILCS 5/11F-45 new)

24 Sec. 11F-45. Transfer students under No Child Left Behind

1 Act. For a period of 10 years after the opening of schools in a
2 New District created under this Article, the New District shall
3 accept students electing to transfer from any school in the
4 Original District that fails to make adequate yearly progress
5 for at least 2 consecutive years, as required by the federal No
6 Child Left Behind Act of 2001 and applicable provisions of this
7 Code, in the same manner as if the New District had never been
8 created from territory formerly within the Original District.
9 After 10 years, such transfers shall be subject to agreement
10 between the districts.

11 (105 ILCS 5/11F-50 new)

12 Sec. 11F-50. Bonded indebtedness. Whenever the boundaries
13 of any community unit school district are changed by the
14 detachment of territory and establishment of a New District,
15 the Original District and the New District, as they exist on
16 and after such action, shall each assume the bonded
17 indebtedness, as well as financial obligations to the Capital
18 Development Board pursuant to Section 35-15 of this Code, of
19 all of the territory included therein after such change. The
20 outstanding bonded indebtedness shall be treated as provided in
21 this Section and in Section 19-29 of this Code. The tax rate
22 for bonded indebtedness shall be determined in the manner
23 provided in Section 19-7 of this Code, except that the County
24 Clerk shall annually extend taxes against all of the taxable
25 property situated in the county and contained in each such

1 district as it exists after the formation of the community unit
2 school district provided for in this Article.

3 (105 ILCS 5/11F-55 new)

4 Sec. 11F-55. Limitations on contesting boundary change.
5 Neither the People of the State of Illinois, any person or
6 corporation, private or public, nor any association of persons
7 shall commence an action contesting either directly or
8 indirectly the creation of any new school district under the
9 provisions of this Article, unless the action is commenced (i)
10 within one year after the order providing for the action shall
11 have become final, (ii) within one year after the date of the
12 election provided for in this Article if no proceedings to
13 contest the election are duly instituted within the time
14 permitted by law, or (iii) within one year after the final
15 disposition of any proceedings that may be so instituted to
16 contest the election; however, where a limitation of a shorter
17 period is prescribed by statute, the shorter limitation shall
18 apply, and the limitation set forth in this Section shall not
19 apply to any order where the judge, body, or officer entering
20 the order being challenged did not at the time of the entry of
21 the order have jurisdiction of the subject matter.

22 (105 ILCS 5/11F-60 new)

23 Sec. 11F-60. Limitation on successive petitions. No
24 affected school district shall be again involved in proceedings

1 under this Article for at least 2 years after final
2 determination of the first proceeding, unless during that
3 2-year period a petition filed is substantially different than
4 any other previously filed petition during the previous 2 years
5 or if an affected district is placed on academic watch status
6 or the financial watch list by the State Board of Education or
7 is certified as being in financial difficulty during that
8 2-year period.

9 (105 ILCS 5/19-1) (from Ch. 122, par. 19-1)

10 Sec. 19-1. Debt limitations of school districts.

11 (a) School districts shall not be subject to the provisions
12 limiting their indebtedness prescribed in "An Act to limit the
13 indebtedness of counties having a population of less than
14 500,000 and townships, school districts and other municipal
15 corporations having a population of less than 300,000",
16 approved February 15, 1928, as amended.

17 No school districts maintaining grades K through 8 or 9
18 through 12 shall become indebted in any manner or for any
19 purpose to an amount, including existing indebtedness, in the
20 aggregate exceeding 6.9% on the value of the taxable property
21 therein to be ascertained by the last assessment for State and
22 county taxes or, until January 1, 1983, if greater, the sum
23 that is produced by multiplying the school district's 1978
24 equalized assessed valuation by the debt limitation percentage
25 in effect on January 1, 1979, previous to the incurring of such

1 indebtedness.

2 No school districts maintaining grades K through 12 shall
3 become indebted in any manner or for any purpose to an amount,
4 including existing indebtedness, in the aggregate exceeding
5 13.8% on the value of the taxable property therein to be
6 ascertained by the last assessment for State and county taxes
7 or, until January 1, 1983, if greater, the sum that is produced
8 by multiplying the school district's 1978 equalized assessed
9 valuation by the debt limitation percentage in effect on
10 January 1, 1979, previous to the incurring of such
11 indebtedness.

12 No partial elementary unit district, as defined in Article
13 11E of this Code, shall become indebted in any manner or for
14 any purpose in an amount, including existing indebtedness, in
15 the aggregate exceeding 6.9% of the value of the taxable
16 property of the entire district, to be ascertained by the last
17 assessment for State and county taxes, plus an amount,
18 including existing indebtedness, in the aggregate exceeding
19 6.9% of the value of the taxable property of that portion of
20 the district included in the elementary and high school
21 classification, to be ascertained by the last assessment for
22 State and county taxes. Moreover, no partial elementary unit
23 district, as defined in Article 11E of this Code, shall become
24 indebted on account of bonds issued by the district for high
25 school purposes in the aggregate exceeding 6.9% of the value of
26 the taxable property of the entire district, to be ascertained

1 by the last assessment for State and county taxes, nor shall
2 the district become indebted on account of bonds issued by the
3 district for elementary purposes in the aggregate exceeding
4 6.9% of the value of the taxable property for that portion of
5 the district included in the elementary and high school
6 classification, to be ascertained by the last assessment for
7 State and county taxes.

8 Notwithstanding the provisions of any other law to the
9 contrary, in any case in which the voters of a school district
10 have approved a proposition for the issuance of bonds of such
11 school district at an election held prior to January 1, 1979,
12 and all of the bonds approved at such election have not been
13 issued, the debt limitation applicable to such school district
14 during the calendar year 1979 shall be computed by multiplying
15 the value of taxable property therein, including personal
16 property, as ascertained by the last assessment for State and
17 county taxes, previous to the incurring of such indebtedness,
18 by the percentage limitation applicable to such school district
19 under the provisions of this subsection (a).

20 (b) Notwithstanding the debt limitation prescribed in
21 subsection (a) of this Section, additional indebtedness may be
22 incurred in an amount not to exceed the estimated cost of
23 acquiring or improving school sites or constructing and
24 equipping additional building facilities under the following
25 conditions:

26 (1) Whenever the enrollment of students for the next

1 school year is estimated by the board of education to
2 increase over the actual present enrollment by not less
3 than 35% or by not less than 200 students or the actual
4 present enrollment of students has increased over the
5 previous school year by not less than 35% or by not less
6 than 200 students and the board of education determines
7 that additional school sites or building facilities are
8 required as a result of such increase in enrollment; and

9 (2) When the Regional Superintendent of Schools having
10 jurisdiction over the school district and the State
11 Superintendent of Education concur in such enrollment
12 projection or increase and approve the need for such
13 additional school sites or building facilities and the
14 estimated cost thereof; and

15 (3) When the voters in the school district approve a
16 proposition for the issuance of bonds for the purpose of
17 acquiring or improving such needed school sites or
18 constructing and equipping such needed additional building
19 facilities at an election called and held for that purpose.
20 Notice of such an election shall state that the amount of
21 indebtedness proposed to be incurred would exceed the debt
22 limitation otherwise applicable to the school district.
23 The ballot for such proposition shall state what percentage
24 of the equalized assessed valuation will be outstanding in
25 bonds if the proposed issuance of bonds is approved by the
26 voters; or

1 (4) Notwithstanding the provisions of paragraphs (1)
2 through (3) of this subsection (b), if the school board
3 determines that additional facilities are needed to
4 provide a quality educational program and not less than 2/3
5 of those voting in an election called by the school board
6 on the question approve the issuance of bonds for the
7 construction of such facilities, the school district may
8 issue bonds for this purpose; or

9 (5) Notwithstanding the provisions of paragraphs (1)
10 through (3) of this subsection (b), if (i) the school
11 district has previously availed itself of the provisions of
12 paragraph (4) of this subsection (b) to enable it to issue
13 bonds, (ii) the voters of the school district have not
14 defeated a proposition for the issuance of bonds since the
15 referendum described in paragraph (4) of this subsection
16 (b) was held, (iii) the school board determines that
17 additional facilities are needed to provide a quality
18 educational program, and (iv) a majority of those voting in
19 an election called by the school board on the question
20 approve the issuance of bonds for the construction of such
21 facilities, the school district may issue bonds for this
22 purpose.

23 In no event shall the indebtedness incurred pursuant to
24 this subsection (b) and the existing indebtedness of the school
25 district exceed 15% of the value of the taxable property
26 therein to be ascertained by the last assessment for State and

1 county taxes, previous to the incurring of such indebtedness
2 or, until January 1, 1983, if greater, the sum that is produced
3 by multiplying the school district's 1978 equalized assessed
4 valuation by the debt limitation percentage in effect on
5 January 1, 1979.

6 The indebtedness provided for by this subsection (b) shall
7 be in addition to and in excess of any other debt limitation.

8 (c) Notwithstanding the debt limitation prescribed in
9 subsection (a) of this Section, in any case in which a public
10 question for the issuance of bonds of a proposed school
11 district maintaining grades kindergarten through 12 received
12 at least 60% of the valid ballots cast on the question at an
13 election held on or prior to November 8, 1994, and in which the
14 bonds approved at such election have not been issued, the
15 school district pursuant to the requirements of Section 11A-10
16 (now repealed) may issue the total amount of bonds approved at
17 such election for the purpose stated in the question.

18 (d) Notwithstanding the debt limitation prescribed in
19 subsection (a) of this Section, a school district that meets
20 all the criteria set forth in paragraphs (1) and (2) of this
21 subsection (d) may incur an additional indebtedness in an
22 amount not to exceed \$4,500,000, even though the amount of the
23 additional indebtedness authorized by this subsection (d),
24 when incurred and added to the aggregate amount of indebtedness
25 of the district existing immediately prior to the district
26 incurring the additional indebtedness authorized by this

1 subsection (d), causes the aggregate indebtedness of the
2 district to exceed the debt limitation otherwise applicable to
3 that district under subsection (a):

4 (1) The additional indebtedness authorized by this
5 subsection (d) is incurred by the school district through
6 the issuance of bonds under and in accordance with Section
7 17-2.11a for the purpose of replacing a school building
8 which, because of mine subsidence damage, has been closed
9 as provided in paragraph (2) of this subsection (d) or
10 through the issuance of bonds under and in accordance with
11 Section 19-3 for the purpose of increasing the size of, or
12 providing for additional functions in, such replacement
13 school buildings, or both such purposes.

14 (2) The bonds issued by the school district as provided
15 in paragraph (1) above are issued for the purposes of
16 construction by the school district of a new school
17 building pursuant to Section 17-2.11, to replace an
18 existing school building that, because of mine subsidence
19 damage, is closed as of the end of the 1992-93 school year
20 pursuant to action of the regional superintendent of
21 schools of the educational service region in which the
22 district is located under Section 3-14.22 or are issued for
23 the purpose of increasing the size of, or providing for
24 additional functions in, the new school building being
25 constructed to replace a school building closed as the
26 result of mine subsidence damage, or both such purposes.

1 (e) (Blank).

2 (f) Notwithstanding the provisions of subsection (a) of
3 this Section or of any other law, bonds in not to exceed the
4 aggregate amount of \$5,500,000 and issued by a school district
5 meeting the following criteria shall not be considered
6 indebtedness for purposes of any statutory limitation and may
7 be issued in an amount or amounts, including existing
8 indebtedness, in excess of any heretofore or hereafter imposed
9 statutory limitation as to indebtedness:

10 (1) At the time of the sale of such bonds, the board of
11 education of the district shall have determined by
12 resolution that the enrollment of students in the district
13 is projected to increase by not less than 7% during each of
14 the next succeeding 2 school years.

15 (2) The board of education shall also determine by
16 resolution that the improvements to be financed with the
17 proceeds of the bonds are needed because of the projected
18 enrollment increases.

19 (3) The board of education shall also determine by
20 resolution that the projected increases in enrollment are
21 the result of improvements made or expected to be made to
22 passenger rail facilities located in the school district.

23 Notwithstanding the provisions of subsection (a) of this
24 Section or of any other law, a school district that has availed
25 itself of the provisions of this subsection (f) prior to July
26 22, 2004 (the effective date of Public Act 93-799) may also

1 issue bonds approved by referendum up to an amount, including
2 existing indebtedness, not exceeding 25% of the equalized
3 assessed value of the taxable property in the district if all
4 of the conditions set forth in items (1), (2), and (3) of this
5 subsection (f) are met.

6 (g) Notwithstanding the provisions of subsection (a) of
7 this Section or any other law, bonds in not to exceed an
8 aggregate amount of 25% of the equalized assessed value of the
9 taxable property of a school district and issued by a school
10 district meeting the criteria in paragraphs (i) through (iv) of
11 this subsection shall not be considered indebtedness for
12 purposes of any statutory limitation and may be issued pursuant
13 to resolution of the school board in an amount or amounts,
14 including existing indebtedness, in excess of any statutory
15 limitation of indebtedness heretofore or hereafter imposed:

16 (i) The bonds are issued for the purpose of
17 constructing a new high school building to replace two
18 adjacent existing buildings which together house a single
19 high school, each of which is more than 65 years old, and
20 which together are located on more than 10 acres and less
21 than 11 acres of property.

22 (ii) At the time the resolution authorizing the
23 issuance of the bonds is adopted, the cost of constructing
24 a new school building to replace the existing school
25 building is less than 60% of the cost of repairing the
26 existing school building.

1 (iii) The sale of the bonds occurs before July 1, 1997.

2 (iv) The school district issuing the bonds is a unit
3 school district located in a county of less than 70,000 and
4 more than 50,000 inhabitants, which has an average daily
5 attendance of less than 1,500 and an equalized assessed
6 valuation of less than \$29,000,000.

7 (h) Notwithstanding any other provisions of this Section or
8 the provisions of any other law, until January 1, 1998, a
9 community unit school district maintaining grades K through 12
10 may issue bonds up to an amount, including existing
11 indebtedness, not exceeding 27.6% of the equalized assessed
12 value of the taxable property in the district, if all of the
13 following conditions are met:

14 (i) The school district has an equalized assessed
15 valuation for calendar year 1995 of less than \$24,000,000;

16 (ii) The bonds are issued for the capital improvement,
17 renovation, rehabilitation, or replacement of existing
18 school buildings of the district, all of which buildings
19 were originally constructed not less than 40 years ago;

20 (iii) The voters of the district approve a proposition
21 for the issuance of the bonds at a referendum held after
22 March 19, 1996; and

23 (iv) The bonds are issued pursuant to Sections 19-2
24 through 19-7 of this Code.

25 (i) Notwithstanding any other provisions of this Section or
26 the provisions of any other law, until January 1, 1998, a

1 community unit school district maintaining grades K through 12
2 may issue bonds up to an amount, including existing
3 indebtedness, not exceeding 27% of the equalized assessed value
4 of the taxable property in the district, if all of the
5 following conditions are met:

6 (i) The school district has an equalized assessed
7 valuation for calendar year 1995 of less than \$44,600,000;

8 (ii) The bonds are issued for the capital improvement,
9 renovation, rehabilitation, or replacement of existing
10 school buildings of the district, all of which existing
11 buildings were originally constructed not less than 80
12 years ago;

13 (iii) The voters of the district approve a proposition
14 for the issuance of the bonds at a referendum held after
15 December 31, 1996; and

16 (iv) The bonds are issued pursuant to Sections 19-2
17 through 19-7 of this Code.

18 (j) Notwithstanding any other provisions of this Section or
19 the provisions of any other law, until January 1, 1999, a
20 community unit school district maintaining grades K through 12
21 may issue bonds up to an amount, including existing
22 indebtedness, not exceeding 27% of the equalized assessed value
23 of the taxable property in the district if all of the following
24 conditions are met:

25 (i) The school district has an equalized assessed
26 valuation for calendar year 1995 of less than \$140,000,000

1 and a best 3 months average daily attendance for the
2 1995-96 school year of at least 2,800;

3 (ii) The bonds are issued to purchase a site and build
4 and equip a new high school, and the school district's
5 existing high school was originally constructed not less
6 than 35 years prior to the sale of the bonds;

7 (iii) At the time of the sale of the bonds, the board
8 of education determines by resolution that a new high
9 school is needed because of projected enrollment
10 increases;

11 (iv) At least 60% of those voting in an election held
12 after December 31, 1996 approve a proposition for the
13 issuance of the bonds; and

14 (v) The bonds are issued pursuant to Sections 19-2
15 through 19-7 of this Code.

16 (k) Notwithstanding the debt limitation prescribed in
17 subsection (a) of this Section, a school district that meets
18 all the criteria set forth in paragraphs (1) through (4) of
19 this subsection (k) may issue bonds to incur an additional
20 indebtedness in an amount not to exceed \$4,000,000 even though
21 the amount of the additional indebtedness authorized by this
22 subsection (k), when incurred and added to the aggregate amount
23 of indebtedness of the school district existing immediately
24 prior to the school district incurring such additional
25 indebtedness, causes the aggregate indebtedness of the school
26 district to exceed or increases the amount by which the

1 aggregate indebtedness of the district already exceeds the debt
2 limitation otherwise applicable to that school district under
3 subsection (a):

4 (1) the school district is located in 2 counties, and a
5 referendum to authorize the additional indebtedness was
6 approved by a majority of the voters of the school district
7 voting on the proposition to authorize that indebtedness;

8 (2) the additional indebtedness is for the purpose of
9 financing a multi-purpose room addition to the existing
10 high school;

11 (3) the additional indebtedness, together with the
12 existing indebtedness of the school district, shall not
13 exceed 17.4% of the value of the taxable property in the
14 school district, to be ascertained by the last assessment
15 for State and county taxes; and

16 (4) the bonds evidencing the additional indebtedness
17 are issued, if at all, within 120 days of the effective
18 date of this amendatory Act of 1998.

19 (1) Notwithstanding any other provisions of this Section or
20 the provisions of any other law, until January 1, 2000, a
21 school district maintaining grades kindergarten through 8 may
22 issue bonds up to an amount, including existing indebtedness,
23 not exceeding 15% of the equalized assessed value of the
24 taxable property in the district if all of the following
25 conditions are met:

26 (i) the district has an equalized assessed valuation

1 for calendar year 1996 of less than \$10,000,000;

2 (ii) the bonds are issued for capital improvement,
3 renovation, rehabilitation, or replacement of one or more
4 school buildings of the district, which buildings were
5 originally constructed not less than 70 years ago;

6 (iii) the voters of the district approve a proposition
7 for the issuance of the bonds at a referendum held on or
8 after March 17, 1998; and

9 (iv) the bonds are issued pursuant to Sections 19-2
10 through 19-7 of this Code.

11 (m) Notwithstanding any other provisions of this Section or
12 the provisions of any other law, until January 1, 1999, an
13 elementary school district maintaining grades K through 8 may
14 issue bonds up to an amount, excluding existing indebtedness,
15 not exceeding 18% of the equalized assessed value of the
16 taxable property in the district, if all of the following
17 conditions are met:

18 (i) The school district has an equalized assessed
19 valuation for calendar year 1995 or less than \$7,700,000;

20 (ii) The school district operates 2 elementary
21 attendance centers that until 1976 were operated as the
22 attendance centers of 2 separate and distinct school
23 districts;

24 (iii) The bonds are issued for the construction of a
25 new elementary school building to replace an existing
26 multi-level elementary school building of the school

1 district that is not handicapped accessible at all levels
2 and parts of which were constructed more than 75 years ago;

3 (iv) The voters of the school district approve a
4 proposition for the issuance of the bonds at a referendum
5 held after July 1, 1998; and

6 (v) The bonds are issued pursuant to Sections 19-2
7 through 19-7 of this Code.

8 (n) Notwithstanding the debt limitation prescribed in
9 subsection (a) of this Section or any other provisions of this
10 Section or of any other law, a school district that meets all
11 of the criteria set forth in paragraphs (i) through (vi) of
12 this subsection (n) may incur additional indebtedness by the
13 issuance of bonds in an amount not exceeding the amount
14 certified by the Capital Development Board to the school
15 district as provided in paragraph (iii) of this subsection (n),
16 even though the amount of the additional indebtedness so
17 authorized, when incurred and added to the aggregate amount of
18 indebtedness of the district existing immediately prior to the
19 district incurring the additional indebtedness authorized by
20 this subsection (n), causes the aggregate indebtedness of the
21 district to exceed the debt limitation otherwise applicable by
22 law to that district:

23 (i) The school district applies to the State Board of
24 Education for a school construction project grant and
25 submits a district facilities plan in support of its
26 application pursuant to Section 5-20 of the School

1 Construction Law.

2 (ii) The school district's application and facilities
3 plan are approved by, and the district receives a grant
4 entitlement for a school construction project issued by,
5 the State Board of Education under the School Construction
6 Law.

7 (iii) The school district has exhausted its bonding
8 capacity or the unused bonding capacity of the district is
9 less than the amount certified by the Capital Development
10 Board to the district under Section 5-15 of the School
11 Construction Law as the dollar amount of the school
12 construction project's cost that the district will be
13 required to finance with non-grant funds in order to
14 receive a school construction project grant under the
15 School Construction Law.

16 (iv) The bonds are issued for a "school construction
17 project", as that term is defined in Section 5-5 of the
18 School Construction Law, in an amount that does not exceed
19 the dollar amount certified, as provided in paragraph (iii)
20 of this subsection (n), by the Capital Development Board to
21 the school district under Section 5-15 of the School
22 Construction Law.

23 (v) The voters of the district approve a proposition
24 for the issuance of the bonds at a referendum held after
25 the criteria specified in paragraphs (i) and (iii) of this
26 subsection (n) are met.

1 (vi) The bonds are issued pursuant to Sections 19-2
2 through 19-7 of the School Code.

3 (o) Notwithstanding any other provisions of this Section or
4 the provisions of any other law, until November 1, 2007, a
5 community unit school district maintaining grades K through 12
6 may issue bonds up to an amount, including existing
7 indebtedness, not exceeding 20% of the equalized assessed value
8 of the taxable property in the district if all of the following
9 conditions are met:

10 (i) the school district has an equalized assessed
11 valuation for calendar year 2001 of at least \$737,000,000
12 and an enrollment for the 2002-2003 school year of at least
13 8,500;

14 (ii) the bonds are issued to purchase school sites,
15 build and equip a new high school, build and equip a new
16 junior high school, build and equip 5 new elementary
17 schools, and make technology and other improvements and
18 additions to existing schools;

19 (iii) at the time of the sale of the bonds, the board
20 of education determines by resolution that the sites and
21 new or improved facilities are needed because of projected
22 enrollment increases;

23 (iv) at least 57% of those voting in a general election
24 held prior to January 1, 2003 approved a proposition for
25 the issuance of the bonds; and

26 (v) the bonds are issued pursuant to Sections 19-2

1 through 19-7 of this Code.

2 (p) Notwithstanding any other provisions of this Section or
3 the provisions of any other law, a community unit school
4 district maintaining grades K through 12 may issue bonds up to
5 an amount, including indebtedness, not exceeding 27% of the
6 equalized assessed value of the taxable property in the
7 district if all of the following conditions are met:

8 (i) The school district has an equalized assessed
9 valuation for calendar year 2001 of at least \$295,741,187
10 and a best 3 months' average daily attendance for the
11 2002-2003 school year of at least 2,394.

12 (ii) The bonds are issued to build and equip 3
13 elementary school buildings; build and equip one middle
14 school building; and alter, repair, improve, and equip all
15 existing school buildings in the district.

16 (iii) At the time of the sale of the bonds, the board
17 of education determines by resolution that the project is
18 needed because of expanding growth in the school district
19 and a projected enrollment increase.

20 (iv) The bonds are issued pursuant to Sections 19-2
21 through 19-7 of this Code.

22 (p-5) Notwithstanding any other provisions of this Section
23 or the provisions of any other law, bonds issued by a community
24 unit school district maintaining grades K through 12 shall not
25 be considered indebtedness for purposes of any statutory
26 limitation and may be issued in an amount or amounts, including

1 existing indebtedness, in excess of any heretofore or hereafter
2 imposed statutory limitation as to indebtedness, if all of the
3 following conditions are met:

4 (i) For each of the 4 most recent years, residential
5 property comprises more than 80% of the equalized assessed
6 valuation of the district.

7 (ii) At least 2 school buildings that were constructed
8 40 or more years prior to the issuance of the bonds will be
9 demolished and will be replaced by new buildings or
10 additions to one or more existing buildings.

11 (iii) Voters of the district approve a proposition for
12 the issuance of the bonds at a regularly scheduled
13 election.

14 (iv) At the time of the sale of the bonds, the school
15 board determines by resolution that the new buildings or
16 building additions are needed because of an increase in
17 enrollment projected by the school board.

18 (v) The principal amount of the bonds, including
19 existing indebtedness, does not exceed 25% of the equalized
20 assessed value of the taxable property in the district.

21 (vi) The bonds are issued prior to January 1, 2007,
22 pursuant to Sections 19-2 through 19-7 of this Code.

23 (p-10) Notwithstanding any other provisions of this
24 Section or the provisions of any other law, bonds issued by a
25 community consolidated school district maintaining grades K
26 through 8 shall not be considered indebtedness for purposes of

1 any statutory limitation and may be issued in an amount or
2 amounts, including existing indebtedness, in excess of any
3 heretofore or hereafter imposed statutory limitation as to
4 indebtedness, if all of the following conditions are met:

5 (i) For each of the 4 most recent years, residential
6 and farm property comprises more than 80% of the equalized
7 assessed valuation of the district.

8 (ii) The bond proceeds are to be used to acquire and
9 improve school sites and build and equip a school building.

10 (iii) Voters of the district approve a proposition for
11 the issuance of the bonds at a regularly scheduled
12 election.

13 (iv) At the time of the sale of the bonds, the school
14 board determines by resolution that the school sites and
15 building additions are needed because of an increase in
16 enrollment projected by the school board.

17 (v) The principal amount of the bonds, including
18 existing indebtedness, does not exceed 20% of the equalized
19 assessed value of the taxable property in the district.

20 (vi) The bonds are issued prior to January 1, 2007,
21 pursuant to Sections 19-2 through 19-7 of this Code.

22 (p-15) In addition to all other authority to issue bonds,
23 the Oswego Community Unit School District Number 308 may issue
24 bonds with an aggregate principal amount not to exceed
25 \$450,000,000, but only if all of the following conditions are
26 met:

1 (i) The voters of the district have approved a
2 proposition for the bond issue at the general election held
3 on November 7, 2006.

4 (ii) At the time of the sale of the bonds, the school
5 board determines, by resolution, that: (A) the building and
6 equipping of the new high school building, new junior high
7 school buildings, new elementary school buildings, early
8 childhood building, maintenance building, transportation
9 facility, and additions to existing school buildings, the
10 altering, repairing, equipping, and provision of
11 technology improvements to existing school buildings, and
12 the acquisition and improvement of school sites, as the
13 case may be, are required as a result of a projected
14 increase in the enrollment of students in the district; and
15 (B) the sale of bonds for these purposes is authorized by
16 legislation that exempts the debt incurred on the bonds
17 from the district's statutory debt limitation.

18 (iii) The bonds are issued, in one or more bond issues,
19 on or before November 7, 2011, but the aggregate principal
20 amount issued in all such bond issues combined must not
21 exceed \$450,000,000.

22 (iv) The bonds are issued in accordance with this
23 Article 19.

24 (v) The proceeds of the bonds are used only to
25 accomplish those projects approved by the voters at the
26 general election held on November 7, 2006.

1 The debt incurred on any bonds issued under this subsection
2 (p-15) shall not be considered indebtedness for purposes of any
3 statutory debt limitation.

4 (p-20) In addition to all other authority to issue bonds,
5 the Lincoln-Way Community High School District Number 210 may
6 issue bonds with an aggregate principal amount not to exceed
7 \$225,000,000, but only if all of the following conditions are
8 met:

9 (i) The voters of the district have approved a
10 proposition for the bond issue at the general primary
11 election held on March 21, 2006.

12 (ii) At the time of the sale of the bonds, the school
13 board determines, by resolution, that: (A) the building and
14 equipping of the new high school buildings, the altering,
15 repairing, and equipping of existing school buildings, and
16 the improvement of school sites, as the case may be, are
17 required as a result of a projected increase in the
18 enrollment of students in the district; and (B) the sale of
19 bonds for these purposes is authorized by legislation that
20 exempts the debt incurred on the bonds from the district's
21 statutory debt limitation.

22 (iii) The bonds are issued, in one or more bond issues,
23 on or before March 21, 2011, but the aggregate principal
24 amount issued in all such bond issues combined must not
25 exceed \$225,000,000.

26 (iv) The bonds are issued in accordance with this

1 Article 19.

2 (v) The proceeds of the bonds are used only to
3 accomplish those projects approved by the voters at the
4 primary election held on March 21, 2006.

5 The debt incurred on any bonds issued under this subsection
6 (p-20) shall not be considered indebtedness for purposes of any
7 statutory debt limitation.

8 (p-25) Notwithstanding the debt limitation prescribed in
9 subsection (a) of this Section or the provisions of any other
10 law, any indebtedness assumed under Section 19-29 by a new
11 school district formed under the provisions and procedures of
12 Article 11F of this Code shall not be included in the
13 calculation of the new school district's debt limitation
14 pursuant to subsection (a) of this Section.

15 (q) A school district must notify the State Board of
16 Education prior to issuing any form of long-term or short-term
17 debt that will result in outstanding debt that exceeds 75% of
18 the debt limit specified in this Section or any other provision
19 of law.

20 (Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04;
21 93-1045, eff. 10-15-04; 94-234, eff. 7-1-06; 94-721, eff.
22 1-6-06; 94-952, eff. 6-27-06; 94-1019, eff. 7-10-06; 94-1078,
23 eff. 1-9-07.)

24 Section 90. The State Mandates Act is amended by adding
25 Section 8.31 as follows:

1 (30 ILCS 805/8.31 new)

2 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 95th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".